

Docket No.: DAVI189.001AUS

January 11, 2006  
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### NOTICE OF APPEAL

FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

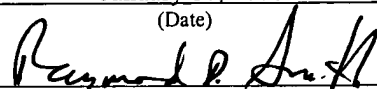
Applicant : Rathjen et al.  
App. No : 10/675,938  
Filed : September 30, 2003  
For : METHOD FOR THE PREPARATION  
OF CELLS OF MESODERMAL  
LINEAGE  
Examiner : Ford, Allison M.  
Art Unit : 1651

#### CERTIFICATE OF MAILING

I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first-class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on

January 11, 2006

(Date)

  
Raymond D. Smith, Reg. No. 55,634

#### Mail Stop AF

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the Examiner dated July 12, 2005 finally rejecting Claims 1, 2, 4-15, 36-38.

The present application qualifies for Small Entity Status under 37 CFR 1.27.

FEE CALCULATION				
FEE TYPE		FEE CODE	CALCULATION	TOTAL
Notice of Appeal	41.20(b)(1)	2401 (\$250)		\$250
3 Month Extension	1.17(a)(3)	2253 (\$510)		\$510
			<b>TOTAL FEE DUE</b>	<b>\$760</b>

- (X) An extension of time is hereby requested by payment of the appropriate fee indicated above.
- (X) A check in the amount of \$760 is enclosed.
- (X) Return prepaid postcard.

01/17/2006 BABRAHA1 00000010 10675938

01 FC:2401  
02 FC:2253

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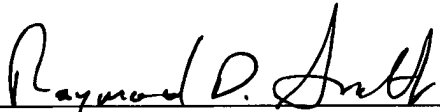
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Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Dated: January 11, 2006

  
\_\_\_\_\_  
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PAT-NAPPEAL

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